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**JUN 01 2005**

**OFFICE OF PETITIONS**

In re Application of :  
Kolter et al. :  
Application No. 09/873,431 : ON PETITION  
Filed: June 5, 2001 :  
Attorney Docket No. 51497 :

This is in response to the petition under 37 CFR 1.182, filed March 7, 2005, requesting that the Office withdraw the terminal disclaimer submitted on August 10, 2004.

With the present petition, petitioner submitted a petition fee of \$130.00. However, effective December 8, 2004, the fee for a petition under 37 CFR 1.182 increased to \$400.00. The rules and statutory provisions governing the operations of the Office require payment of a fee upon filing a petition. In this instance, the petition fee is deficient in the amount of \$270.00. Moreover, Deposit Account No. 14-1437 has insufficient funds to pay the balance due.

The petition under 37 CFR 1.182 will not be treated on its merits, but rather will remain in the file until the Office receives a renewed petition under 37 CFR 1.182, as well as the balance of the fee due in the amount of \$270.00.

Petitioner must file both a request for reconsideration and pay the balance due of \$270.00 within **TWO (2) MONTHS** of this decision. No extensions of time are permissible.

Further correspondence with respect to this matter should be addressed as follows and **to the attention of Senior Petitions Attorney Christina Tartera Donnell:**

By mail:           Mail Stop Petition  
                  Commissioner for Patents  
                  P.O. Box 1450  
                  Alexandria, VA 22313-1450

By FAX:           (703) 872-9306  
                  Attn: Office of Petitions

By hand:           Customer Service Window  
                  Randolph Building  
                  401 Dulany Street  
                  Alexandria, VA 22314

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3211.

*Christina Tartera Donnell*

Christina Tartera Donnell  
Senior Petitions Attorney  
Office of Petitions